

AMENDED IN ASSEMBLY APRIL 25, 2013

AMENDED IN ASSEMBLY MARCH 18, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 935**

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**Introduced by Assembly Member Frazier  
(Coauthor: Assembly Member Bonilla)**

February 22, 2013

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An act to amend Section 66540.12 of the Government Code, relating to the San Francisco Bay Area Water Emergency Transportation Authority.

### LEGISLATIVE COUNSEL'S DIGEST

AB 935, as amended, Frazier. San Francisco Bay Area Water Emergency Transportation Authority: terms of board members.

Existing law establishes the San Francisco Bay Area Water Emergency Transportation Authority with specified powers and duties, including, but not limited to, the authority to coordinate the emergency activities of all water transportation and related facilities within the bay area region, as defined.

Existing law provides for a board of directors of the authority, 3 members of which are appointed by the Governor and one each by the Senate Committee on Rules and the Speaker of the Assembly. Directors serve 6-year terms.

This bill would expand the number of members appointed by the Senate Committee on Rules and the Speaker of the Assembly to 2 members each. The bill would require that the initial terms of the additional members appointed by the Senate Committee on Rules and the Speaker of the Assembly pursuant to its provisions shall be 2 years

and 6 years, respectively. The bill would ~~also require that one of the 3 members appointed by the Governor be a resident of the County of Contra Costa selected from a list of 3 nominees provided by the Contra Costa Transportation Authority, a resident of the County of San Mateo selected from a list of 3 nominees provided by the San Mateo County Transportation Authority, and bona fide labor representative and that another member be a resident of the County of Solano City and County of San Francisco selected from a list of 3 nominees provided by the Solano San Francisco County Transportation Authority. The bill would require the Governor to appoint a resident of the county of one of these transportation authorities that fails to submit a list of 3 nominees to the Governor within 45 days of a vacancy.~~

*The bill would require that the 2 members appointed by the Senate Committee on Rules be a resident of the County of Contra Costa selected from a list of 3 nominees provided by the Contra Costa Transportation Authority and a resident of the County of San Mateo selected from a list of 3 nominees provided by the San Mateo County Transportation Authority. The bill would require that the 2 members appointed by the Speaker of the Assembly be a resident of the County of Solano selected from a list of nominees provided by the Solano Transportation Authority and a resident of the County of Alameda selected from a list of 3 nominees provided by the Alameda County Transportation Authority. The bill would provide for the Senate Committee on Rules or the Speaker of the Assembly, as applicable, to appoint a resident of the county if a transportation authority fails to submit a list of 3 nominees within 45 days of a vacancy.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 66540.12 of the Government Code is
- 2 amended to read:
- 3 66540.12. (a) The authority shall be governed by a board
- 4 composed of seven members, as follows:
- 5 (1) Three members shall be appointed by the Governor, subject
- 6 to confirmation by the Senate. The Governor shall make the initial
- 7 appointment of these members of the board no later than January
- 8 11, 2008.

1 (A) One member appointed by the Governor shall be a resident  
2 of the County of Contra Costa and shall be selected from a list of  
3 three nominees provided by the Contra Costa Transportation  
4 Authority. If the authority fails to submit a list of three nominees  
5 within 45 days of a vacancy, the Governor shall appoint a resident  
6 of that county *bona fide labor representative*.

7 ~~(B) One member appointed by the Governor shall be a resident~~  
8 ~~of the County of San Mateo and shall be selected from a list of~~  
9 ~~three nominees provided by the San Mateo County Transportation~~  
10 ~~Authority. If the authority fails to submit a list of three nominees~~  
11 ~~within 45 days of a vacancy, the Governor shall appoint a resident~~  
12 ~~of that county.~~

13 ~~(C)~~  
14 (B) One member appointed by the Governor shall be a resident  
15 of the County of Solano ~~City and County of San Francisco~~ and  
16 shall be selected from a list of three nominees provided by the  
17 ~~Solano~~ San Francisco County Transportation Authority. If the  
18 authority fails to submit a list of three nominees within 45 days of  
19 a vacancy, the Governor shall appoint a resident of that county.

20 (2) Two members shall be appointed by the Senate Committee  
21 on Rules: *as follows:*

22 (A) *One member appointed by the Senate Committee on Rules*  
23 *shall be a resident of the County of Contra Costa and shall be*  
24 *selected from a list of three nominees provided by the Contra Costa*  
25 *Transportation Authority. If the authority fails to submit a list of*  
26 *three nominees within 45 days of a vacancy, the Senate Committee*  
27 *on Rules shall appoint a resident of that county.*

28 (B) *One member appointed by the Senate Committee on Rules*  
29 *shall be a resident of the County of San Mateo and shall be selected*  
30 *from a list of three nominees provided by the San Mateo County*  
31 *Transportation Authority. If the authority fails to submit a list of*  
32 *three nominees within 45 days of a vacancy, the Senate Committee*  
33 *on Rules shall appoint a resident of that county.*

34 (3) Two members shall be appointed by the Speaker of the  
35 Assembly: *as follows:*

36 (A) *One member appointed by the Speaker of the Assembly shall*  
37 *be a resident of the County of Solano and shall be selected from*  
38 *a list of three nominees provided by the Solano Transportation*  
39 *Authority. If the authority fails to submit a list of three nominees*

1 *within 45 days of a vacancy, the Speaker of the Assembly shall*  
2 *appoint a resident of that county.*

3 *(B) One member appointed by the Speaker of the Assembly shall*  
4 *be a resident of the County of Alameda and shall be selected from*  
5 *a list of three nominees provided by the Alameda County*  
6 *Transportation Authority. If the authority fails to submit a list of*  
7 *three nominees within 45 days of a vacancy, the Speaker of the*  
8 *Assembly shall appoint a resident of that county.*

9 (b) Each member of the board shall be a resident of a county in  
10 the bay area region.

11 (c) Public officers associated with an area of government,  
12 including planning or water, whether elected or appointed, may  
13 be appointed to serve contemporaneously as members of the board.  
14 A public agency shall not have more than one representative on  
15 the board of the authority.

16 (d) The Governor shall designate one member as the chairperson  
17 of the board and one member as the vice chairperson of the board.

18 (e) Except as provided in subdivisions (f) and (g), the term of  
19 a member of the board shall be six years.

20 (f) (1) Except as to initial appointments specified in subdivision  
21 (g), the appointments next following the expiration of the terms  
22 of the initial appointments shall be for the following terms:

23 (A) Two of the members appointed by the Governor shall serve  
24 terms of two years and one shall serve a term of six years.

25 (B) The member appointed by the Senate Committee on Rules  
26 shall serve a term of four years.

27 (C) The member appointed by the Speaker of the Assembly  
28 shall serve a term of four years.

29 (2) Each member appointed after the expiration of the terms set  
30 forth in subparagraphs (A) to (C), inclusive, of paragraph (1) shall  
31 serve a term of six years.

32 (g) The initial terms for additional appointees of the Senate  
33 Committee on Rules and the Speaker of the Assembly added to  
34 the authority pursuant to the act that added this subdivision shall  
35 be the following:

36 (1) The additional member appointed by the Senate Committee  
37 on Rules shall serve a term of two years.

38 (2) The additional member appointed by the Speaker of the  
39 Assembly shall serve a term of six years.

- 1 (h) Vacancies shall be filled immediately by the appointing
- 2 power for the unexpired portion of the terms in which they occur.

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